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Doc. No. 312087 WEMHH/SB/21 (8/04)


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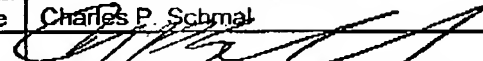
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/612,852
		Filing Date	July 3, 2003
		First Named Inventor	Joel S. Douglas
		Art Unit	3736
		Examiner Name	Charles Alan Marmor II
Total Number of Pages in This Submission	24	Attorney Docket Number	7404-543

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached (USPTO Credit Card Payment Form) <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <input type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	Charles P. Schmal, Reg. No. 45,082 Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	November 3, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on November 3, 2004.	
Typed or printed name	Charles P. Schmal
Signature	
Date	November 3, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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007404-000543.CPS.311994

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Joel S. Douglas et al.) Before the Examiner
Application No. 10/612,852) Charles Alan Marmor II
Filed July 3, 2003) Group Art Unit 3736
METHODS AND APPARATUS) Attorney Docket No. 7404-543
FOR SAMPLING AND) November 3, 2004
ANALYZING BODY FLUID)

FIFTH PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please enter the following Fifth Preliminary Amendment for the above-entitled patent application. The Commissioner is authorized to charge the amount of \$232.00 for the claims added herein to the credit card detailed on the attached form PTO-2038. No additional fees are believed to be necessary, however, should any fees be deemed required, the Commissioner is authorized to charge such fees to Deposit Account No. 23-3030, but is not to include payment of issue fees.

11/05/2004 AWONDAF1 00000015 10612852

01 FC:1201 88.00 OP
02 FC:1202 144.00 OP

Fifth Preliminary Amendment
Application No. 10/612,852; Group Art Unit 3736
Attorney Docket No. 7404-543; Document No. 311994
Page 1 of 21

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Charles P. Schmal, Reg. No. 45,082
Name of person signing paper or fee

Doc. No. 312053 WEMMH/SB/17 (10/04)
OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
FOR FY 2004**

Effective 01/01/2003. Patent fees are subject to annual revision.

Complete if Known

Application Number	10/612,852
Filing Date	July 3, 2003
First Named Inventor	Joel S. Douglas
Group Art Unit	3736
Examiner Name	Charles Alan Marmor II
Attorney Docket Number	7404-543

☐ Applicant claims small entity status. See 37 CFR 1.27Total Amount of Payment (\$)**232.00****METHOD OF PAYMENT**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number
23-3030Deposit Account Name
Woodard, Emhardt, Moriarty,
McNett & Henry LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility Filing Fee	
1002	350	2002	175	Design Filing Fee	
1003	550	2003	275	Plant Filing Fee	
1004	790	2004	395	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1)					(\$)0.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee From Below	Fee Paid
85	-77** = 8	X 18.00	= 144.00
Independent Claims	32	-31** = 1	X 88.00 = 88.00
Multiple Dependent			

(Four new claims to make a total of 23)

Large Entity Fee Code	Entity (\$)	Small Entity Fee Code	Entity (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)232.00

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	820*	1804	820*	Requesting publication of SIR prior to Examiner's Action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner's Action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	680	2503	340	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other Fee (specify)					
* Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$)0.00

SUBMITTED BY:

Name (Print/Type): Charles P. Schmal

Registration No.: 45,082

Telephone: (317) 634-3456

Signature: 

Date: November 3, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

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